

ORDER FOR SUPPLIES OR SERVICES						PAGE 1 OF 14
1. CONTRACT/PURCH. ORDER/ AGREEMENT NO. W9126G19D0020		2. DELIVERY ORDER/CALL NO. W9126G19F6147		3. DATE OF ORDER/CALL (YYYYMMDD) 2019 Sep 28	4. REQ/PURCH. REQUEST NO. W45XMAQ2677072	5. PRIORITY
6. ISSUED BY US ARMY CORPS OF ENGINEERS FORT WORTH 819 TAYLOR ST, CT OFC RM 2A17 FORT WORTH TX 76102-0300		7. ADMINISTERED BY (if other than 6) SEE ITEM 6		CODE		8. DELIVERY FOB <input checked="" type="checkbox"/> DESTINATION <input type="checkbox"/> OTHER (See Schedule if other)
9. CONTRACTOR NAME AND ADDRESS POSILICO CIVIL INC COASTAL ENVIRONMENTA PAUL CASAZZA 1750 NEW HWY FARMINGDALE NY 11735-1582		FACILITY		10. DELIVER TO FOB POINT BY (Date) SEE SCHEDULE		11. MARK IF BUSINESS IS <input type="checkbox"/> SMALL <input type="checkbox"/> SMALL <input type="checkbox"/> DISADVANTAGED <input type="checkbox"/> WOMEN-OWNED
				12. DISCOUNT TERMS Net 30 Days		13. MAIL INVOICES TO THE ADDRESS IN BLOCK See item 15
14. SHIP TO PROJECT MANAGEMENT BRANCH ENRIQUE VILLAGOMEZ, JR. 2000 FORT POINT ROAD GALVESTON TX 77550		15. PAYMENT WILL BE MADE BY USACE FINANCE CENTER MILLINGTON ATTN: CEFC-AO-P 5722 INTEGRITY DRIVE MILLINGTON TN 38054-5005				MARK ALL PACKAGES AND PAPERS WITH IDENTIFICATION NUMBERS IN BLOCKS 1 AND 2.
16. TYPE OF ORDER <input type="checkbox"/> PURCHASE	DELIVERY/ CALL <input checked="" type="checkbox"/>	This delivery order/call is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract. Reference your quote dated Furnish the following on terms specified herein. REF:				
		ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW MODIFIED, SUBJECT TO ALL OF THE TERMS Posillico Civil, Inc. AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME. Coastal Environmental Group, Inc. A Joint Venture d/b/a <u>Joseph Posillico</u> Joseph K. Posillico, Managing Member NAME OF CONTRACTOR SIGNATURE <input type="checkbox"/> If this box is marked, supplier must sign Acceptance and return the following number of copies:				
17. ACCOUNTING AND APPROPRIATION DATA/ LOCAL USE See Schedule						
18. ITEM NO.	19. SCHEDULE OF SUPPLIES/ SERVICES SEE SCHEDULE		20. QUANTITY ORDERED/ ACCEPTED*	21. UNIT	22. UNIT PRICE	23. AMOUNT
* If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and encircle.		24. UNITED STATES OF AMERICA TEL: 817-886-1054 EMAIL: patricia.a.jackson@usace.army.mil BY: PATRICIA A JACKSON		25. TOTAL 26. DIFFERENCES		\$120,412,400.00
27a. QUANTITY IN COLUMN 20 HAS BEEN <input type="checkbox"/> INSPECTED <input type="checkbox"/> RECEIVED <input type="checkbox"/> ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED						
b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE			c. DATE (YYYYMMDD)	d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE		
e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE			28. SHIP NO.	29. DO VOUCHER NO.	30. INITIALS	
f. TELEPHONE NUMBER			32. PAID BY <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	33. AMOUNT VERIFIED CORRECT FOR		
g. E-MAIL ADDRESS			31. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	34. CHECK NUMBER		
36. I certify this account is correct and proper for payment.				35. BILL OF LADING NO.		
a. DATE (YYYYMMDD)	b. SIGNATURE AND TITLE OF CERTIFYING OFFICER		39. DATE RECEIVED (YYYYMMDD)	40. TOTAL CONTAINERS	41. S/R ACCOUNT NO.	42. S/R VOUCHER NO.
37. RECEIVED AT		38. RECEIVED BY				

Section 00 11 00 - Standard Form (SF) 1442 and CLIN Schedule

ACO/PCO AUTHORITY

Only a warranted Contracting Officer (either a Procuring Contracting Officer (PCO) or an Administrative Contracting Officer (ACO)), acting within their delegated limits, has the authority to issue modifications or otherwise change the terms and conditions of this contract. If an individual other than the Contracting Officer attempts to make changes to the terms and conditions to the terms and conditions of this contract, you shall not proceed with the change and shall immediately notify the Contracting Officer.

Southern Border Constructors proposal dated 20 Sep 2019 is hereby incorporated into this task order.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001		1	Job	\$11,650,000.00 Funded Amt:	\$11,650,000.00 \$11,650,000.00
	Base Design Design required for RGV 08 Base Segment A, B, and C				NAICS CD: 237210 , FSC CD: Y1LB
0002		1	Job	\$8,700,000.00 Funded Amt:	\$8,700,000.00 \$8,700,000.00
	Base Construction All work required to complete construction of base segment A early availability				NAICS CD: 237210 , FSC CD: Y1LB
0003		1	Job	\$85,483,000.00 Funded Amt:	\$85,483,000.00 \$85,483,000.00
	Late Base Construction All work required to complete construction of base segment: A, B, C delayed availability				NAICS CD: 237210 , FSC CD: Y1LB

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ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004		1	Job	\$819,000.00	\$819,000.00
EXERCISED OPTION				Funded Amt:	\$819,000.00
	Design of Anti-Climb Plate				NAICS CD: 237210
	Design and fabrication for the 11 gauge steel sheathing along the upper 5' of the fence alignment				, FSC CD: Y1LB
0005		1	Job	\$1,019,000.00	\$1,019,000.00
EXERCISED OPTION				Funded Amt:	\$1,019,000.00
	Fabrication/Install of Anti-Climb Plate				NAICS CD: 237210
	Installation of the 11 gauge steel sheathing along the upper 5' of the fence alignment				, FSC CD: Y1LB
0006		1	Job	\$185,000.00	\$185,000.00
EXERCISED OPTION				Funded Amt:	\$185,000.00
	Design to Transition From 18' to 30'				NAICS CD: 237210
	Design required for increasing height from 18' to 30' fence				, FSC CD: Y1LB
0007		1	Job	\$12,556,400.00	\$12,556,400.00
EXERCISED OPTION				Funded Amt:	\$12,556,400.00
	Construction From 18' to 30'				NAICS CD: 237210
	Additional construction cost for increasing height from 18' to 30' fence				, FSC CD: Y1LB

ITEM NO 0008 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$1,050,000.00 Funded Amt:	AMOUNT \$1,050,000.00
	RVSS Towers				NAICS CD: 237210 , FSC CD: Y1LB
	All work required to complete three (3) RVSS Monopole Towers. The Contractor shall furnish and provide all design, materials, labor, and equipment necessary for fabrication and installation of the RVSS Towers, according to the criteria set forth in the herein drawings and specifications, complete and ready for use.				
ITEM NO 0009 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$8,420,000.00 Funded Amt:	AMOUNT \$8,420,000.00
	Design Segment D&E				NAICS CD: 237210 , FSC CD: Y1LB
	Design required for RGV 08 Option Segment D and E.				
ITEM NO 0010 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$72,631,500.00 Funded Amt:	AMOUNT \$72,631,500.00
	Construction Segment D&E				NAICS CD: 237210 , FSC CD: Y1LB
	All work required to complete construction of Segments D & E				
ITEM NO 0011 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$789,000.00 Funded Amt:	AMOUNT \$789,000.00
	Design Anti-Climb Plate				NAICS CD: 237210 , FSC CD: Y1LB
	Design and fabrication for the 11 gauge steel sheathing along the upper 5' of the fence alignment				

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ITEM NO 0012 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$784,000.00 Funded Amt:	AMOUNT \$784,000.00
	Fabrication/Install of Anti-Climb Plate Installation of the 11 gauge steel sheathing along the upper 5' of the fence alignment				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0013 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$155,000.00 Funded Amt:	AMOUNT \$155,000.00
	Design to Transition From 18' to 30' Design required for increasing height from 18' to 30' fence				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0014 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$9,600,000.00 Funded Amt:	AMOUNT \$9,600,000.00
	Construction 18' to 30' Additional construction cost for increasing height from 18' to 30' fence				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0015 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$1,185,900.00 Funded Amt:	AMOUNT \$1,185,900.00
	RVSS Towers All work required to complete two (2) RVSS Monopole Towers associated with the Option Segment E. The Contractor shall furnish and provide all design, materials, labor, and equipment necessary for fabrication and installation of the RVSS Towers for Segment D and E, according to the criteria set forth in the herein drawings and specifications, complete and ready for use.				NAICS CD: 237210 , FSC CD: Y1LB

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ITEM NO 0016 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$14,436,000.00 Funded Amt:	AMOUNT \$14,436,000.00
	Paint Segment A, B, & C to 18' All work required to paint Segment A, B & C, to 18', without 11 gauge steel sheathing, according to the criteria set forth in the herein drawings and specifications, complete and ready for use.				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0017 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$6,669,000.00 Funded Amt:	AMOUNT \$6,669,000.00
	Additional Work From 18' to 30' Additional work required to paint Segment A, B & C from 18' to 30', without 11 gauge steel sheathing, according to the criteria set forth in the herein drawings and specifications, complete and ready for use.Only applicable if Options 02 & 08 are executed.				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0018 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$3,066,000.00 Funded Amt:	AMOUNT \$3,066,000.00
	Additional Paint 11 Gage Steel Sheathing Additional work required to paint 11 gauge steel sheathing for Segment A, B & C, according to the criteria set forth in the herein drawings and specifications, complete and ready for use. Only applicable if Options 01, 02, & 08 are executed.				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0019 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$11,115,000.00 Funded Amt:	AMOUNT \$11,115,000.00
	Paint Segment A, B, & C to 18' All work required to paint Segment D and E, to 18', without 11 gauge steel sheathing, according to the criteria set forth in the herein drawings and specifications, complete and ready for use. Only applicable if Option 04 is executed.				NAICS CD: 237210 , FSC CD: Y1LB

ITEM NO 0020 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$5,135,000.00 Funded Amt:	AMOUNT \$5,135,000.00
	Additional Paint From 18' to 30' Additional work required to paint Segment D and E, from 18' to 30', without 11 gauge steel sheathing, according to the criteria set forth in the herein drawings and specifications, complete and ready for use. Only applicable if Options 04, 06, & 12 are executed				NAICS CD: 237210 , FSC CD: Y1LB
ITEM NO 0021 OPTION	SUPPLIES/SERVICES	QUANTITY 1	UNIT Job	UNIT PRICE \$2,360,000.00 Funded Amt:	AMOUNT \$2,360,000.00
	Additional Paint 11 Gage Steel Sheathing Additional work required to paint 11 gauge steel sheathing, for Segment D and E according to the criteria set forth in the herein drawings and specifications, complete and ready for use. Only applicable if Options 04, 05, 06, & 12 are executed.				NAICS CD: 237210 , FSC CD: Y1LB

INSPECTION AND ACCEPTANCE TERMS

Supplies/services will be inspected/accepted at:

CLIN	INSPECT AT	INSPECT BY	ACCEPT AT	ACCEPT BY
0001	Destination	Government	Destination	Government
0002	Destination	Government	Destination	Government
0003	Destination	Government	Destination	Government
0004	Destination	Government	Destination	Government
0005	Destination	Government	Destination	Government
0006	Destination	Government	Destination	Government
0007	Destination	Government	Destination	Government
0008	Destination	Government	Destination	Government
0009	Destination	Government	Destination	Government
0010	Destination	Government	Destination	Government
0011	Destination	Government	Destination	Government
0012	Destination	Government	Destination	Government
0013	Destination	Government	Destination	Government
0014	Destination	Government	Destination	Government
0015	Destination	Government	Destination	Government
0016	Destination	Government	Destination	Government
0017	Destination	Government	Destination	Government
0018	Destination	Government	Destination	Government

0019	Destination	Government	Destination	Government
0020	Destination	Government	Destination	Government
0021	Destination	Government	Destination	Government

ACCOUNTING AND APPROPRIATION DATA

AA: 096 NA X 2019 3122 000 0000 CCS: 999 M2 2019 08 2455 0WDDHS 96412 3230 2492GL
 AMOUNT: \$120,412,400.00

ACRN	CLIN/SLIN	CIN	AMOUNT
AA	0001	W45XMA926770720001	\$11,650,000.00
	0002	W45XMA926770720002	\$8,700,000.00
	0003	W45XMA926770720003	\$85,483,000.00
	0004	W45XMA926770720004	\$819,000.00
	0005	W45XMA926770720005	\$1,019,000.00
	0006	W45XMA926770720006	\$185,000.00
	0007	W45XMA926770720007	\$12,556,400.00

Section 00 72 00 - Contract Clauses

CLAUSES INCORPORATED BY FULL TEXT

52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (APR 1984)

The Contractor shall be required to

(a) commence work under this contract within 10 calendar days after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than what is specified in section **01 00 00.00 44**.

(End of clause)

52.211-12 LIQUIDATED DAMAGES--CONSTRUCTION (SEP 2000)

- a. If the Contractor fails to complete the work within the time specified in the contract, the Contractor shall pay liquidated damages to the Government in the amount of **\$8,479.00** each calendar day of delay until the work is completed or accepted.
- b. If the Government terminates the Contractor's right to proceed, liquidated damages will continue to accrue until the work is completed. These liquidated damages are in addition to excess costs of repurchase under the Termination clause.

(End of clause)

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Section 00 73 46 - Wage Determination Schedule

WAGE DETERMINATION

General Decision Number: TX20190085 01/04/2019

Superseded General Decision Number: TX20180117

State: Texas

Construction Type: Heavy

Counties: Brooks, Dimmit, Duval, Frio, Jim Hogg, Kenedy, Kinney, La Salle, Maverick, McMullen, Starr, Uvalde, Willacy, Zapata and Zavala Counties in Texas.

HEAVY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.60 for calendar year 2019 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.60 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2019. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number Publication Date
0 01/04/2019

SUTX2009-128 04/21/2009

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...\$ 13.00		0.00

LABORER: Common or General.....	\$ 9.00	0.00
LABORER: Pipelayer.....	\$ 10.65	0.00
OPERATOR: Backhoe/Trackhoe.....	\$ 14.00	0.00
OPERATOR: Bulldozer.....	\$ 14.25	0.00
OPERATOR: Front End Loader.....	\$ 11.52	0.00
TRUCK DRIVER.....	\$ 10.80	0.26

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION